

**ASSEMBLY BILL**

**No. 149**

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**Introduced by Assembly Member Jeffries**

January 22, 2009

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An act to add Section 720 to the Public Resources Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 149, as introduced, Jeffries. State government: board of forestry and fire protection: abolishment.

Existing law requires the State Board of Forestry and Fire Protection to represent the state's interest in the acquisition and management of state forests as provided by law and in federal land matters pertaining to forestry, and the protection of the state's interests in forest resources on private lands. The board is required to determine, establish, and maintain an adequate forest policy. General policies for guidance of the Department of Forestry and Fire Protection are determined by the board.

This bill would abolish the State Board of Forestry and Fire Protection and transfer its duties, responsibilities, powers, jurisdiction, liabilities, and functions to the Director of Forestry and Fire Protection.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 720 is added to the Public Resources
- 2 Code, to read:

1       720. (a) The director succeeds to and is vested with all duties,  
2 responsibilities, powers, jurisdiction, liabilities, and functions of  
3 the board, which is hereby abolished. Any reference in any law to  
4 the duties, responsibilities, powers, and functions of the board,  
5 shall be considered a reference to the director unless the context  
6 otherwise requires. The director shall have possession and control  
7 of all records, books, papers, and other property, real, personal  
8 and mixed, now or hereafter held for the benefit or use of the board.

9       (b) All employees of the board who are serving in the state civil  
10 service, other than as temporary employees when this section  
11 becomes effective, shall continue to be employees of the  
12 department pursuant to Section 19050.9 of the Government Code.  
13 The status, position, and rights of any employee of the board shall  
14 not be affected by the transfer and shall be retained by the person  
15 as an employee of the department, as the case may be, pursuant to  
16 the State Civil Service Act (Part 2 (commencing with Section  
17 18500) of Division 5 of Title 2 of the Government Code), except  
18 as to a position that is exempt from civil service.

19       (c) All money available, including money that becomes available  
20 after the effective date of this section, for expenditure by the board  
21 to be used in the administration of any function, the exercise of  
22 any right, or performance of any duty, which function, right, or  
23 duty is transferred by this section, shall be transferred to the  
24 director who is to administer the function, exercise the right, or  
25 perform the duty.